

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
PLAINTIFF)	
v.)	Case No. 07 CR 821-3
)	
)	Judge Charles Norgle
DAVID VIZCARRA,)	
)	
DEFENDANT)	

DEFENDANT DAVID VIZCARRA'S MOTION FOR BOND

Now comes Defendant David Vizcarra, by and through his attorney and pursuant to 18 U.S.C. Sec. 3142 moves this Court to set a bond so that he can be released for one month prior to trial to spend time under home incarceration with his very ill mother. In support of this motion, Defendant states the following.

1. Defendant David Vizcarra has been indicted for conspiracy to kidnap and kidnaping a person for ransom. Mr. Vizcarra's father is also named in the indictment. His father has been released on bond and is living at home with his wife, David Vizcarra's mother.

2. Except for a brief stay in Utah, Mr. Vizcarra, who was born in the United States, has lived in Chicago.

3. Mr. Vizcarra has a prior work history and had a part-time job before being arrested in this case. He has had a few arrests for resisting and battery, operating a vehicle while intoxicated and a DUI.

4. Mr. Vizcarra's mother is very ill. She has been hospitalized twice

since his arrest in December, 2008. Mr. Vizcarra wants to be released from bond on home incarceration so that he can stay with his mother and spend time with her. Given the charges in this case, he is concerned that if is not given this opportunity now, he may not have it again in the future.

5. His family, including his sister Elsa Rocha, who lives nearby, and his mother are in agreement with this request. His uncle, who has posted his home as security so that Mr. Vizcarra's father could be released on bond, is willing to serve as third party custodian.

6. When Mr. VIZCARRA was arrested, he cooperated with the Government.

7. In considering whether and how much of a bond to set for Defendant Vizcarra, the Court must consider the presumptions established by 18 U.S.C. Sec. 3143(e). Mr. Vizcarra believes that the conditions imposed above (release to his family for one month on home incarceration with electronic monitoring so that he can spend time with his mother at their home in close proximity to his sister and his uncle's homes) are conditions that aid in overcoming the presumptions and ensure that he will not be a danger to the community or a risk of flight.

WHEREFORE DEFENDANT David Vizcarra prays that this Court grant his motion for bond as outlined above.

Respectfully submitted,

s/Steven Saltzman
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